

RECEIVED

OCT 16 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of the 911 Act	)	WT Docket No. 00-110
	)	
The Use of N11 Codes and Other Abbreviated	)	CC Docket No. 92-105
Dialing Arrangements	)	

To: Federal Communications Commission

**COMMENTS OF AMERICAN SAMOA LICENSE, INC.  
IN WT DOCKET NO. 00-110**

American Samoa License, Inc. ("ASLI"), by its attorney, hereby submits these comments in response to the Federal Communications Commission's ("FCC" or "Commission") *Notice of Proposed Rulemaking*, FCC 00-327 (rel. Aug. 29, 2000) ("*Notice*")<sup>1</sup> seeking comment on the furtherance of emergency communications services, including wireless communications. ASLI is a corporation formed under the laws of the U.S. Territory of American Samoa for the purpose of operating a personal communications service ("PCS") system in the American Samoa Major Trading Area ("MTA"), consisting of the entirety of American Samoa. As a wireless carrier and a provider of 911 emergency services, ASLI has an interest in this proceeding.

**INTRODUCTION**

The *Notice* seeks comment on proposed FCC efforts to implement the Wireless Communications and Public Safety Act of 1999 ("911 Act").<sup>2</sup> Among other things, the 911 Act directs the

---

<sup>1</sup>Concurrently with the release of the *Notice*, the Commission released *Use of N11 Codes and Other Abbreviated Dialing Arrangements*, FCC 00-327, *Fourth Report and Order and Third Notice of Proposed Rulemaking* (rel. Aug. 29, 2000) ("*Fourth R&O*" or "*Third NPRM*").

<sup>2</sup>Pub. L. No. 106-81, 113 Stat. 1286 (1999), amending 47 U.S.C. §§ 222, 251.

Commission to “encourage and support” the states, territories and other U.S. possessions in developing comprehensive emergency communications so that all jurisdictions offer seamless networks for prompt emergency service.<sup>3</sup> Although the 911 Act requires the Commission to “consult and cooperate with State and local officials,” the Commission is not authorized by the 911 Act to “impose obligations or costs on any person.”<sup>4</sup> Accordingly, the Commission seeks comment on how to facilitate efforts to deploy comprehensive emergency communications systems.<sup>5</sup>

ASLI supports Commission efforts, as discussed herein, to work with state and local officials across the United States and its possessions, including the Territory of American Samoa, to facilitate the provisioning of a comprehensive 911 system, as long as they do not impose costs or obligations. Such efforts are particularly necessary given the current construct of the wireless 911 rules governing “basic” and “enhanced” 911 (“E911”) services by certain wireless carriers, including broadband PCS licensees like ASLI. Specifically, although carriers play an important role in providing E911 service to the public, E911 service will remain unattainable until there is a “designated” Public Safety Answering Point (“PSAP”)<sup>6</sup> established by a state or locality, and that designated PSAP has the ability to support and process E911 calls. Until the Commission is able to facilitate this, the policies the FCC is trying to further in both the 911 Act and its rules cannot be either fully or expeditiously realized.

---

<sup>3</sup>See 911 Act at Section 3(b).

<sup>4</sup>*Id.*

<sup>5</sup>See *Notice* at ¶ 24.

<sup>6</sup>The “designated PSAP” is defined as the “Public Safety Answering Point (PSAP) designated by the local or state entity that has the authority and responsibility to designate the PSAP to receive wireless 911 calls.” 47 C.F.R. § 20.3.

## DISCUSSION

Initially, under the Commission's rules a covered wireless carrier must provide basic 911 service, meaning it must transmit all wireless 911 calls without further location information to a PSAP.<sup>7</sup> The Commission has clarified that "the designation of the PSAP that should receive wireless 911 calls is a matter for State or local authorities," but "until the relevant State or local governmental entities develop a routing plan for wireless 911 calls within their jurisdiction . . . covered carriers can comply with our rules by continuing to route 911 calls to their incumbent wireless PSAPs."<sup>8</sup> To the best of ASLI's knowledge, there is a single local incumbent PSAP on-island, the Police Department in the central business district of Fagatogo. For emergency calls, American Samoans utilizing wireline telephones can choose to either dial 911 and have their calls routed to the Police Dispatcher in Fagatogo, who will then contact the appropriate emergency police, fire, medical or other personnel, or they can directly dial (via a seven-digit telephone number) a particular emergency service provider. ASLI provides wireless callers with 911 dialing so that they can notify the PSAP of their need for emergency services. When ASLI receives a 911 call over its network, that call is translated into a seven-digit number and transmitted to the Police Dispatcher in Fagatogo.

The next generation of emergency services are E911 services, which will be implemented in two distinct phases. In Phase I, wireless carriers must provide both the telephone number of the 911 caller and the location of the cell site or base station receiving the call to the "designated" PSAP.<sup>9</sup> In Phase II, carriers must provide to the designated PSAP the location of all 911 calls by

---

<sup>7</sup>47 C.F.R. § 20.18(b).

<sup>8</sup>*Compatibility with Enhanced 911 Emergency Calling Systems, Declaratory Ruling*, 14 F.C.C.R. 1969, 1978-79 (1998) (quoting *Compatibility with Enhanced 911 Emergency Calling Systems, Memorandum Opinion and Order*, 12 F.C.C.R. 22665, 22713 (1997)).

<sup>9</sup>47 C.F.R. § 20.18(d).

longitude and latitude.<sup>10</sup> These requirements for enhanced 911 services are applicable, however, only if the administrator of the designated PSAP has requested the services and is capable of receiving and utilizing the data elements associated with the service, and a mechanism for cost recovery is in place.<sup>11</sup> ASLI has not received a request for Phase I E911 from the local incumbent PSAP, and ASLI is not certain that there is a “designated PSAP” in American Samoa as defined in the Commission’s rules. Thus, in American Samoa and other similarly-situated areas of the United States, the technology may exist for wireless service providers to provide E911 service, but there is no PSAP currently able to process and utilize the E911 calls that would be sent from wireless carriers. While the FCC has consistently pressed carriers to implement E911 services as early as is technologically feasible, E911 will not become a reality until states and localities budget, construct and operate PSAP facilities capable of handling E911 calls.

Thus, in American Samoa, and elsewhere where a designated PSAP has not been selected or has not yet requested the provisioning of E911 services, further action is required by the state and local governments to make wireless E911 a reality. For this reason, ASLI recognizes the possible benefits to be attained by Commission efforts to encourage and support the states, territories and other U.S. possessions in developing comprehensive emergency communications system, so long as these efforts are carefully tailored and do not impose costs or obligations. For example, the Commission has proposed several information-sharing actions, such as the establishment of focus groups or “round table” discussions, which it believes would help facilitate this process without imposing obligations or costs.<sup>12</sup>

---

<sup>10</sup>47 C.F.R. § 20.18(e).

<sup>11</sup>47 C.F.R. § 20.18(j).

<sup>12</sup>See Notice at ¶¶ 25-27.

Any forums or round table discussions should be designed to include all interested participants, including state and local government representatives, carriers, and emergency services representatives. The Commission's efforts to establish a clearinghouse of information could be particularly worthwhile to smaller states and territories without the same access to resources as their larger counterparts, by allowing them to benefit from the experiences gained by those jurisdictions at the fore of this area, and by learning how to avoid some of the pitfalls they encountered. Finally, any "model" state plans that are developed must be just that: model plans, not mandatory ones. The Commission must recognize that each jurisdiction is unique — American Samoa being a prime example — and there can be no "one size fits all" state plan, only general guidelines.


As 911 service is the foundation upon which E911 services will be built, ASLI is hopeful that the information-sharing actions initiated by the Commission will have as one of their goals the establishment of a neutral forum for interested parties to discuss transition issues presented by E911. Wireless carriers are already subject to Phase I and Phase II rules, however these rules will not translate into E911 services being provided to the public until such time as PSAPs are capable of handling E911 calls.

## CONCLUSION

ASLI believes that the FCC can perform a valuable function by serving as a forum for information sharing and that these efforts could expedite the provision of emergency services throughout the United States. For the foregoing reasons, the Commission should adopt the initiatives described herein.

Respectfully submitted,

AMERICAN SAMOA LICENSE, INC.

By: 

Richard Cohen  
General Counsel  
100 North Point Center East  
Suite 320  
Alpharetta, GA 30022  
(678) 366-0104

*Its Attorney*

October 16, 2000